

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

CHERYL GAGNON,

Plaintiff,

-vs-

CLIENT SERVICES, INC., COLE  
EDWARDS, and JOHN DOE, Individually  
and Jointly,

Defendants.

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Case No: 2:09-CV-12342

Hon. Gerald E. Rosen

Magistrate Judge Michael Hluchaniuk

**DEFENDANTS' FIRST OFFER OF JUDGMENT PURSUANT TO RULE 68**

Defendants, Client Services, Inc., Cole Edwards, and John Doe, who, upon information and belief is Garrett Rains (collectively, "Defendants"), by and through their attorneys Clark Hill PLC, and pursuant to Rule 68 of the Federal Rules of Civil Procedure, hereby offer to allow judgment to be taken against them, jointly and severally, and in favor of Plaintiff, Cheryl Gagnon as follows:

(1) Judgment shall be entered in the principal amount of Two Thousand Six Hundred and Fifty-One and no/100<sup>th</sup> Dollars (\$2,651.00) in favor of Plaintiff and against Defendants, jointly and severally;

(2) In addition, Plaintiff's reasonable costs and reasonable attorneys fees accrued through the date on which this offer expires are to be added to the amount listed in paragraph 1, *supra*, in an amount agreed upon by counsel for the parties, or if they are unable to agree, as determined by the Court upon motion by Plaintiff;

(3) This Offer of Judgment is made solely for the purposes specified in Rule 68, and is not be construed either as an admission that Defendant(s) is/are liable in this action, or that Plaintiff has suffered any damage. Defendants deny all wrong doing and liability;

(4) In accordance with Fed. R. Civ. P. 68, if this Offer of Judgment is not accepted by Plaintiff within ten (10) days after service of the Offer, the Offer shall be deemed withdrawn and any evidence of this Offer will be inadmissible except in any proceeding to recover costs;

(5) In accordance with Fed. R. Civ. P. 68, if this Offer of Judgment is not accepted by Plaintiff and any Judgment finally obtained by Plaintiff is not more favorable than this Offer, Plaintiff must pay her costs and attorneys' fees incurred after making this Offer, as well as, pursuant to Rule 68 and Sixth Circuit law, the costs of Defendants.

Respectfully submitted,

CLARK HILL PLC

By: s/ Jordan S. Bolton  
Jordan S. Bolton (P66309)  
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Detroit, MI 48226  
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P66309

Date: September 10, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that on September 10, 2009, my assistant, Kathi Lindsey electronically filed the foregoing via the CM/ECF System, which will send notification of such filing to all properly registered counsel of record.

Respectfully submitted,

CLARK HILL PLC

By: s/ Jordan S. Bolton  
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Date: September 10, 2009